



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,897	04/16/2004	Ravi Sundaram	03-4024	2220
32127	7590	12/06/2007		
VERIZON PATENT MANAGEMENT GROUP 1515 N. COURTHOUSE ROAD, SUITE 500 ARLINGTON, VA 22201-2909			EXAMINER PYZOCHA, MICHAEL J	
			ART UNIT 2137	PAPER NUMBER
			NOTIFICATION DATE 12/06/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

Office Action Summary

Application No.

10/826,897

Applicant(s)

SUNDARAM ET AL.

Examiner

Michael Pyzocha

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-54 are pending.
2. Amendment filed 10/12/2007 has been received and considered.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 30-38 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 30-38 are a system with means for performing steps; the specification describes that, "the techniques described herein can be implemented in hardware or **software**, or any combination thereof" (emphasis added). Since the means can be merely software the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the mean of 35 USC §101. They are clearly not a series of steps or acts to be a process not are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 4-6, 18-24, 30-33, 39-43, 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung et al. (US 6470389) in view of Liston (US 20040103314).

As per claims 1, 21, 30, and 39, Chung et al. discloses receiving a request from a user to obtain an address (see 7 lines 13-38); obtaining said address; applying a function to said address to obtain a return address, said return address corresponding to a used on of a block of addresses (see column 7 lines 16-20 and column 7 line 62 through column 8 line 15); returning said return address to said user (see column 8 lines 3-15).

Chung et al. fails to disclose monitoring access to said address; and detecting an unauthorized attempt to access said

address when an attempted address corresponds to an unused one of said block of address.

However, Liston teaches receiving requests to obtain an address, obtaining the address (see paragraphs [0038] and [0039]), monitoring accesses to the address and detecting unauthorized attempts when the request corresponds to an unused address (see paragraph [0031]).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to using the monitoring of Liston in the Chung et al. system.

Motivation to do so would have been to provide intrusion detection and countermeasures (see paragraphs [0012]-[0017]).

As per claims 2, 22, 31, and 40, the modified Chung et al. and Liston system discloses hashing a user address of said user to obtain one value of the range of values mapping to said block of addresses, said one value designating said used one of said block of addresses (see Chung et al. column 7 line 62 through column 8 line 15).

As per claims 4-6, 18-20, 23, 24, 32, 33, 41-43, and 52-54, the modified Chung et al. and Liston system discloses tracing a user when said attempted address corresponds to said unused one of said block of addresses (see Liston paragraphs [0038]-

[0041]); blocking additional unauthorized attempts when said attempted address corresponds to said unused one of said block of addresses (see paragraphs [0038]-[0042]); and wherein unused ones of said block of addresses corresponds to attack detectors (see paragraphs [0038]-[0044]).

6. Claims 3, 7-11, 13-17, 25, 26, 28, 29, 34, 35, 37, 38, 44, 45, and 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Chung et al. and Liston system as applied to claims 1, 21, 30, and 39 above, and further in view of Coutts et al. (US 6311165).

As per claims 3, 7-11, 17, 25, 26, 29, 34, 35, 38, 44, 45, and 51 the modified Chung et al. and Liston system fails to disclose changing the addresses over time.

However, Coutts et al. teaches changing the address over time (see column 21 line 64 through column 22 line 8).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to include a time value in the hash of the modified Chung et al. and Liston system thereby changing the address over time.

Motivation to do so would have been to lease IP addresses (see Coutts et al. column 21 line 64 through column 22 line 8).

As per claims 13-16, 28, 37, and 47-50, the modified Chung et al., Liston, and Coutts et al. system discloses tracing a user when said attempted address corresponds to said unused one of said block of addresses (see Liston paragraphs [0038]-[0041]); blocking additional unauthorized attempts when said attempted address corresponds to said unused one of said block of addresses (see paragraphs [0038]-[0042]); and wherein unused ones of said block of addresses corresponds to attack detectors (see paragraphs [0038]-[0044]).

7. Claims 12, 27, 36 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Chung et al., Liston, and Coutts et al. system as applied to claims 8, 25, 34, and 44 above, and further in view of Griffiths et al. (US 6286045).

As per claims 12, 27, 36, and 46 the modified Chung et al., Liston, and Coutts et al. system fails to disclose randomly choosing an address.

However, Griffiths et al. teaches randomly choosing an IP address (see column 23 lines 47-49).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to randomly choose an

address in the modified Chung et al., Liston, and Coutts et al. system.

Motivation to do so would have been to determine round trip times (see column 23 lines 44-51).

Response to Arguments

8. Applicant's arguments with respect to claims 1-54 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control
Number: 10/826,897
Art Unit: 2137

Page 8

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP


SUPERINTENDENT OF PATENTS